

[illegible]

Marijuana production								P		
Animal production										
Equestrian facility										

D. Mixed Use Zones.

[Parts of the table not shown have no changes]

Table 21.04.030C Comprehensive Allowed Uses Chart: Mixed Use Zones							
Online Users: Click on District Abbreviation to View Map -->	OT, AP, TWNC, BC, VV, TR, SMT, TSQ, RVBD	RVT, CTR, EH	OV1, OV2, OV3	OV4	OV5	OBAT	
General Sales or Service							
General Sales or Service	P	P	P/C	P	P	P/C	
Automobile sales, rental, or service establishment	P	P	P/C	P	P		
Heavy consumer goods sales, rental, or service	P	P	P/C	P	P		
Durable consumer goods sales, rental, and service	P	P	P/C	P	P		
Consumer goods, other	P	P	P/C	P	P		
Membership wholesale / retail warehouse							
Grocery, food, beverage, or dairy sales	P	P	P/C	P	P		
Marijuana retail sales	P	P	P	P	P		
Health and personal care	P	P	P/C	P	P		
Convenience store	P	P	P/C	P	P		
Finance and insurance	P	P	P/C	P	P		

RZC 21.14 COMMERCIAL REGULATIONS

21.14.040 Manufacturing Park

[Subsections A., B., & C. not shown – no changes]

- D. **Allowed Uses and Basic Development Standards.** The following table contains the basic zoning regulations that apply to uses in the Manufacturing Park (MP) zone. To use the chart, read down the left-hand column titled “Use.” When you have located the use that interests you, read across to find regulations that apply to that use. Uses are permitted unless otherwise specified in the Special Regulations column. Permitted uses may require land use permit approval. See RZC [21.76.020](#), *Overview of the Development Process*, for more information. Uses not listed are not permitted.

Table 21.14.040C Allowed Uses and Basic Development Standards					
Section	Use	Maximums		Parking ratio: unit of measure (min. required, max. allowed)	Special Regulations
		Height (stories)	FAR		
		w/o TDR or GBP; w/TDR or GBP	w/o TDR or GBP; w/TDR or GBP		
General sales or services					
[Previous items in the table not shown; no changes]					
18	Animal kennel / shelter				A. Boarding facilities must be located inside of a structure. B. Outdoor runs or yards are allowed for the purpose of exercising animals. Runs/yards must be enclosed by eight-foot-high walls of sound-attenuating fencing or material such as masonry or concrete. C. The planned maximum number of animals to be sheltered shall be indicated on the application. The maximum may be reduced if the applicant cannot demonstrate that the development has adequate lot size and facility design to accommodate the planned number of animals in a way that ensures neighboring residential properties will not be impacted with noise or odor problems.
<u>19</u>	<u>Marijuana retail sales</u>	<u>2:</u> <u>2</u>	<u>0.25;</u> <u>0.25</u>	<u>1,000 sq ft gfa</u> <u>(10.0, 10.0)</u>	<u>A. See RZC 21.41 Marijuana-related uses for additional requirements.</u> <u>B. Only permitted on properties that front on public streets.</u>

[Renumber following uses in table to accommodate addition of “Marijuana retail sales” use. Otherwise no other changes to table.]

RZC 21.41 MARIJUANA-RELATED USES

21.41.010 Relationship to Federal Law

The production, processing, and retailing of marijuana is and remains illegal under federal law. Nothing in this chapter or as provided elsewhere in the RZC or RMC authorizes or permits any person or entity to circumvent or violate federal law.

21.41.020 Collective Gardens

- A. On ~~March 31, 2014~~ May 21, 2015, the ~~Court of Appeals, Division I~~ Washington Supreme Court, in *Cannabis Action Coalition v. City of Kent*, 183 Wn. 2d 219 (2015), held that, ~~despite the authorizing language in RCW 69.51A.085, collective gardens are illegal uses consistent with former RCW 69.51A.140 (Chapter 181, Laws of 2011), cities may adopt zoning regulations regarding collective gardens including regulations which prohibit collective gardens.~~
- B. ~~During the 2015 Regular Session, the Washington State Legislature passed the Cannabis Patient Protection Act, 2SSB 5052 (Chapter 70, Laws of 2015) which, among other things, deleted RCW~~

69.51A.085, which authorizes collective gardens, effective July 1, 2016. Therefore, as of July 1, 2016, the state law authorizing collective gardens will no longer exist and collective gardens will not be allowed under state law.

A.C. Consistent with state law, collective gardens are not allowed within the city.

21.41.030 State License

No marijuana processor, marijuana producer, or marijuana retailer shall locate in the city without a valid license issued by the Washington State Liquor ~~Control and Cannabis~~ Board, and must at all times conform with state law and city regulations. In the event any city regulation conflicts with state law or state regulations, the more restrictive provision shall prevail.

21.41.040 Location; Buffers

A. Marijuana production, marijuana processing, and marijuana retail uses are allowed uses within the city where in compliance with state law and regulation and this chapter.

B. No marijuana producer, marijuana processor, or marijuana retailer shall locate within 1,000 feet, measured in the manner set forth in WAC 314-55-050(10), from any of the following existing uses as defined in WAC 314-55-010 or the RZC as of the date of adoption of this chapter:

1. Elementary or secondary school,
2. Playground, or
3. Educational facility, other.

C. No marijuana producer, processor, or marijuana retailers shall locate within 250 feet, measured in the manner set forth in WAC 314-55-050(10), from any of the following existing uses as defined in WAC 314-44-010 or the RZC as of the date of adoption of this chapter:

1. Recreation center or facility,
42. Child care center,
53. Public park,
64. Public transit center,
75. Library, or
86. Game arcade, or
7. Privately owned recreational business.

D. No marijuana retailer shall locate within 1,000 feet, measured in the manner set forth in WAC 314-55-050(10), of another marijuana retailer.

21.41.050 Structural Requirements

All marijuana processors, marijuana producers, and marijuana retailers must operate in a permanent structure designed to comply with the City Building Code.

21.41.060 Number of Retail Stores

The maximum number of retail marijuana stores allowed shall not exceed two.

RZC 21.78 DEFINITIONS

E Definitions

Educational Facility, Other. Establishments that offer educational instruction for students of elementary or secondary school age during a majority of the regular school day in conjunction with a public school district or state Office of Superintendent for Public Instruction-approved private school, and which are not primary or secondary schools.

P Definitions

Privately owned Recreational Business. Privately owned facilities designed and equipped for the conduct of sports, exercise, yoga, other active physical conditioning, and/or other customary and usual recreational activities and open to the public. This can include facilities with tennis courts, swimming pools, racquetball courts, handball courts, or other gymnastic facilities.